**Remarks**

Applicants respectfully request reconsideration of the present U.S. Patent application as amended herein. Claims 22 and 24 have been amended. No claims have been added or canceled. Thus, claims 1-26 are pending, of which claims 1, 12, 20, and 22 are independent.

Regarding the 35 U.S.C. §112 rejections, the clerical errors have been corrected.

Regarding the Action's responses to Applicants arguments (¶s 40-43) it is respectfully submitted that a protocol stack *is not* a separate network interface. The network interface is the physical hardware in communication with the network wire (or carrier). Protocol stacks are software that interface operating system/application programs with physical hardware. The Examiner is requested to take a look at Internet Uniform Resource Locator (URL) http://webopedia.com and request definition of the phrase "protocol stack." The search result will show the phrase "protocol stack" has various software definitions regarding how stacks relate to physical network hardware ("refers to linking a set of network protocols to a network interface card (NIC). Every NIC must have at least one stack bound to it"). It is submitted a protocol stack cannot be a separate network interface as suggested in Office Action ¶41 as one would then be binding a NIC to a NIC – and that is not a workable suggestion.

Regarding Action response ¶42, the claims recite network interfaces and the phrase "network interface" is used in the Specification and claims to refer to network interface hardware. The independent claims have been amended where necessary to clarify intent to recite offloading processing to physical network interface hardware. "Network interface" and "network adapter" are synonymous.

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### 35. U.S.C. §102(e)

Claims 1-2 and 20-21 stand rejected under §102(e) remain rejected as being anticipated by Stevens (U.S. Patent No. 6,324,583). Applicant traverses the rejections.

To focus discussion on the independent claims, only the rejections of the independent claims are addressed herein. The merits (and accuracy) of the rejections of the dependent claims have not been addressed at this time.

Each independent claim series as amended recites determining whether a NIC supports, *in hardware*, some functionality (e.g., claims 1, 12 as amended recite determining "whether the first network interface **includes hardware** supporting the protocol"). If the NIC does not have hardware supporting the functionality, then processing is offloaded to the hardware of a NIC supporting the functionality (e.g., claims 1, 12 as amended recite providing "said first network data to a second network interface including hardware supporting the protocol for processing"). Claims 20, 22, 24 include related references to network interface hardware for offloading processing (claim 24 refers to using a "specialized capability" of another NIC).

Such offloading between network interface hardware is not taught by Stevens. The Stevens Abstract and Summary are quite clear the Stevens invention concerns creating a virtual device to managing multiple software stacks *such that extra physical resources are not required*. See, e.g., the Stevens Summary: "The invention interconnects stacks executing different protocols **in the same node** by means of **a** software implemented input/output device," e.g., virtual device 204. See also Applicant's previous responses addressing Stevens in detail.

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There is no suggestion in Stevens of using the hardware of another network interface as recited. Hence it is submitted Stevens cannot anticipate claims 1, 12, or 20. It is further submitted dependent claims 2-11, 13-19, and 21 are therefore allowable for at least the reason as depending from allowable base claims. The Office is respectfully requested to withdraw the rejection of claims 1-2 and 20-21.

Claims 22-26 stand rejected under §102(e) stand rejected as being anticipated by Rydbeck (U.S. Patent No. 6,108,562).

Applicant traverses the rejections and also submits the rejections are moot based on the amendments to clarify inventive intent and the above discussion regarding Action response ¶42 in that the recited "network interface" include physical network interface. In particular, Applicant submits that in light of clarifying the phrase "network interface," the Office will appreciate the Rydbeck "modules" identified by the Action, see, e.g., col. 3 lines 29-51, do not anticipate the recited network interfaces.(adapters).

Further, it must be noted that claim 22 recites "so that the second data appears to have been processed by the first network interface". The cited portion of Rydbeck at col. 4 lines 12-32 provides no teaching of making processing to appear to have been performed by a different network interface.

Applicant therefore submits the documents relied on by the Office fail to anticipate or even suggest the recited sharing of processing capabilities among members of a system of physical network interfaces as recited in claims 22-26.

The Office is respectfully requested to withdraw the rejection of claims 22-26.

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Conclusion

For at least the foregoing reasons, Applicants submit that the rejections of the

independent claims have been overcome. Therefore, claims 1-26 are in condition for

allowance and such action is earnestly solicited.

Interview Request

On receiving the present response, the Examiner is respectfully requested to

contact the undersigned by telephone to discuss the present application. Based on the

comments in Action paragraphs 40-43, an interview may facilitate further clarifying claim

intent and ultimately further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account

number 02-2666.

                                          Respectfully submitted,

Date:   March 16, 2004

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